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| APPLICATION NO.                   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------------|-------------|----------------------|---------------------|------------------|
| 09/521,240                        | 04/05/2000  | Eiji Suematsu        | 0033-0651P          | 6236             |
| 7590                              | 08/12/2005  |                      | EXAMINER            |                  |
| Birch Stewart Kolasch & Birch LLP |             |                      | SHANG, ANNAN Q      |                  |
| P O Box 747                       |             |                      | ART UNIT            | PAPER NUMBER     |
| Falls Church, VA 22040-0747       |             |                      | 2617                |                  |
| DATE MAILED: 08/12/2005           |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                 |                 |
|------------------------------|-----------------|-----------------|
| <b>Office Action Summary</b> | Application No. | Applicant(s)    |
|                              | 09/521,240      | SUEMATSU ET AL. |
|                              | Examiner        | Art Unit        |
|                              | Annan Q. Shang  | 2617            |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 June 2005.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 1-37 and 40-52 is/are allowed.
- 6) Claim(s) 38 and 39 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \*    c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

|   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

### ***Response to Arguments***

1. Applicant's arguments filed 11/01/04 have been fully considered but they are not persuasive.

With respect to claims 38-39 rejected under 35 U.S.C. 102(b) as being anticipated by **Tanishima (5,953,045)**, applicant argues that "Tanishima cable 71, however, only supplies an output video signal to a television receiver 61 (see column 6, lines 32 to 36; Fig. 5; column 9, lines 17 to 23), i.e., one one-way signal capability. The television receiver 61 does not transmit a control signal to the cable 71 connector..."

In response Examiner disagrees. Examiner notes applicant's arguments, However Tanishima teaches that video channel selection type radio reception apparatus (V-CH-SEL), is connected to a Television Receiver (which includes a tuner to receive channel selections and tune to selected channels) by a cable, i.e., cable 71 (see fig. 9 and col. 9, lines 12-23 and col.12, lines 32-39). Figure 9 shows, cable 71 as a two-way transmission medium, which transmits FSK Modulator signals 51a and also FM Demodulator signals 51g via cable 71 and furthermore the channel selections are received via the tuner of the television receiver and transmitted via cable 71 to the V-CH-SEL. In addition, Tanishima further states "...since the video channel selection type radio reception apparatus on the subscriber side transmits a video signal from an antenna to a television receiver, it is not necessary to connect the video channel selection type radio reception apparatus and the television receiver by a cable," Hence,

Examiner maintains the rejection of claims 38-39 using Tanishima, is proper and maintained, since Tanishima meets the claimed limitations.

With respect to amended claims 40 and 51, applicant's arguments are persuasive and the rejection of claims 40 and 51 using **Seong (5,200,826)** has been withdrawn and allowed.

With respect to amended claims 41-42, applicant's arguments are persuasive and the rejection of claims 40-42 and 51 using **Seong (5,200,826)** in view of **Beasley (5,321,736)** has been withdrawn and allowed. This office action is made FINAL.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 38-39, are rejected under 35 U.S.C. 102(b) as being anticipated by **Tanishima (5,953,045)**.

As to claim 38, note the **Tanishima** reference figures 1, 5 and 9, discloses Video Channel Selection Type Radio Reception Apparatus and further discloses an electronic apparatus capable of utilizing an output signal from a millimeter wave receiver, comprising:

the claimed “a connector connected with said millimeter wave....” is met by Cable 71 (figs. 5, 9, col. 2, lines 61-66, col. 6, lines 34-36 and col. 7, lines 40-45), note that Video Channel Selection Type Radio Reception Apparatus (VCSRRec) 51 is a millimeter wave transceiver connected by Cable 71 “a connector” to Television Receiver (TVR) 61 “an electronic apparatus”, and transmits/receives 60 GHz signals, where TVR 61 includes “a control signal transmission circuit” which transmits channel selection signals “control signal indicating information” of TVR 61 to Cable 71 (col. 5, line 67-col. 6, line 10, lines 34-36 and col. 9, lines 13-39).

As to claim 39, note the **Tanishima** reference figures 1, 5 and 9, discloses Video Channel Selection Type Radio Reception Apparatus and further discloses an electronic apparatus capable of utilizing an output signal from a millimeter wave receiver, comprising:

the claimed “a connector connected with said millimeter wave....” is met by Cable 71 (figs. 5, 9, col. 2, lines 61-66, col. 6, lines 34-36 and col. 7, lines 40-45), note that Video Channel Selection Type Radio Reception Apparatus (VCSRRec) 51 is a millimeter wave transceiver, connected by Cable 71 “a connector” to Television Receiver (TVR) 61 “an electronic apparatus”, and transmits/receives 60 GHz signals;

the claimed “a memory circuit storing information as to whether or not to utilizes the output signal from the millimeter wave receiver...” is inherent to TVR 61 (col. 4, lines 1-10 and col. 9, lines 13-23), note that TVR 61 receives NTSC or PAL video signals and based on the channel selection information, the output signal from VCSRRec 51 is stored at TVR 61 which enables TVR 61 to determine the form of signal to display and further

includes "a control signal transmission circuit" which transmits channel selection signals "control signal indicating information" of TVR 61 to Cable 71 (col. 5, line 67-col. 6, line 10, lines 34-36 and col. 9, lines 13-39).

***Allowable Subject Matter***

4. Claims 1-3, 5-37, 40-51 and 52 allowed.

5. The following is an examiner's statement of reasons for allowance: with respect to independent claims 1, 8, 46, 47 and 48, the prior art of records **Tanishima (5,953,045)** teaches a millimeter wave transmitter and receiver for transmit/receiving broadcasting wave signals and converting it to millimeter wave signals which is transmitted/received indoors. **Macdonald et al (5,835,128)** disclose a wireless television signal distribution system for distributing television signals received from a satellite or other source to a plurality of individual receiving units within one or more multiple dwelling units. However, neither **Tanishima** nor **Macdonald** and any of the cited references teach, or suggest alone or in combination the feature of millimeter wave transmitter/receiver for performing millimeter wave radio transmission indoors and a connection unit connectable receiving broadcasting and a power supply circuit supplying driving power to a millimeter wave transmitter through the connection unit, as recited in combination with other features with respect to independent claims 1, 8, 47 and 48.

With respect to independent claims 12, 37, 43 and 44, neither **Tanishima** nor **Macdonald** and any of the cited references teach, or suggest alone or in combination the feature of a millimeter wave receiver and a connection unit connectable with an

antenna having a function of receiving broadcasting and power receptor circuit receiving driving power of the millimeter wave receiver through the connection unit.

With respect to independent claim 40, neither **Tanishima** nor **Macdonald** and any of the cited references teach, or suggest alone or in combination the feature of “an inverse frequency arranger receiving output signals of the broadcasting wave demodulation circuit and changing the frequency arrangement of the output signals of the broadcasting wave demodulating circuit and a transmission circuit transmission a control signal for controlling the millimeter wave transmitter” as recited in combination with other features of independent claim 40.

With respect to independent claim 41, neither **Tanishima** nor **Macdonald** and any of the cited references teach, or suggest alone or in combination the feature of “a frequency arranging circuit receiving the broadcasting signals output from the broadcasting wave input circuit, and changing the frequency arrangement of the broadcasting signals by adjusting the frequency of at least one of the plurality of broadcast signals relative to at least one other of the plurality of broadcasts signals,” as recited in combination with other features of independent claim 41.

### ***Conclusion***

**5. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**.

  
**Annan Q. Shang.**

  
**CHRIS KELLEY**  
SUPERVISORY PATENT EXAMINER  
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